

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CONWAY ROBERT SHAW, GUY ARTHUR DURHAM,
NIGEL DAVID TOUT, ARNOLD GOCOOOL, SEAN PRIOR,
ELIE ABI CHAAYA and GUY ALEXANDER HOOKER

Application No. 09/074,093

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 2, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

Appellants filed an Information Disclosure Statement (IDS) on December 2, 2002. It is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98 because the examiner has not initialed next to each of the references nor signed and dated the 1449 as required by the Manual of Patent Examining Procedure (MPEP) § 609 C(2).

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Accordingly, it is

ORDERED that the application is returned to the examiner for

- (1) proper consideration of the IDS filed December 2, 2002,
- (2) notification to appellant in writing of such consideration, and
- (3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', written over a horizontal line.

DALE M. SHAW

Deputy Chief Appeal Administrator
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cc: PERMAN AND GREEN
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DMS/vsh